



**UNITED STATES BANKRUPTCY COURT
DISTRICT OF MASSACHUSETTS**

In re:

Westborough SPE LLC

Debtor(s)

Chapter 7
23-40709-CJP

ORDER

MATTER:

#664 Emergency Motion filed by Creditor Lolonyon Akouete to Shorten Deadline for Trustee's Opposition [Re: 658 Motion for Summary Judgment]

THE REQUEST FOR EXPEDITED DETERMINATION OF *CREDITOR LOLONYON AKOUE TE'S MOTION FOR SUMMARY JUDGMENT* [ECF NO. 658] (THE "AKOUE TE SUMMARY JUDGMENT MOTION") AND THE SEPARATE *EMERGENCY MOTION TO SHORTEN DEADLINE FOR TRUSTEE'S OPPOSITION TO CREDITOR'S MOTION FOR SUMMARY JUDGMENT* [ECF NO. 644] ARE DENIED.

THE DISCOVERY PERIOD HAS RECENTLY ENDED, AND THE COURT CONDUCTED A CASE MANAGEMENT CONFERENCE ON APRIL 15, 2025 (THE "CONFERENCE"), WHICH WAS SCHEDULED AS A RESULT OF THE NOTICE OF INTENT TO FILE A SUMMARY JUDGMENT MOTION OF MR. AKOUE TE. *SEE* SCHEDULING ORDER AT ECF NO. 606. AT THE CONFERENCE, THE COURT ESTABLISHED A SCHEDULE FOR EACH PARTY TO FILE MOTIONS FOR SUMMARY JUDGMENT OF MAY 31, 2025, RESPONSIVE PLEADINGS BY JUNE 20, 2025, AND FURTHER REPLIES BY JULY 11, 2025 AS REFLECTED IN THE PROCEEDING MEMORANDUM AND ORDER ENTERED ON APRIL 16, 2025 AT ECF NO. 648.

BOTH MR. AKOUE TE AND THE TRUSTEE STATED AN INTENTION TO SEEK SUMMARY JUDGMENT. WHEN THE SCHEDULE WAS ESTABLISHED AT THE CASE MANAGEMENT CONFERENCE, MR. AKOUE TE SPECIFICALLY INQUIRED ABOUT FILING HIS SUMMARY JUDGMENT MOTION SOONER THAN THE ESTABLISHED DEADLINE, AND THE COURT STATED HE COULD DO SO, BUT NOTED THAT THE RESPONSE DEADLINE WOULD NOT LIKELY BE ALTERED. ADDITIONALLY, THE COURT IDENTIFIED ISSUES THAT DIRECTLY OVERLAPPED BETWEEN THE TRUSTEE'S OBJECTIONS TO THE CLAIMS ASSERTED BY MR. AKOUE TE WITH THE TRUSTEE'S OBJECTION TO THE CLAIM OF MS. EDWARDS [ECF

NO. 639] (THE "EDWARDS CLAIM OBJECTION"). THE COURT HAS SCHEDULED A HEARING ON THAT PORTION OF THE TRUSTEE'S EDWARDS CLAIM OBJECTION REQUESTING CONSOLIDATION OF THE EDWARDS CLAIM OBJECTION WITH THE PENDING CLAIM OBJECTIONS TO MR. AKOUE TE'S CLAIM (THE "CONSOLIDATION REQUEST") FOR HEARING ON MAY 5, 2025. THE DEADLINE FOR OBJECTIONS TO CONSOLIDATION ARE THIS FRIDAY, MAY 2, 2025. THE COURT WILL CONSIDER WHETHER CONSOLIDATION OF THE PENDING OBJECTIONS FOR SUMMARY JUDGMENT AND/OR TRIAL WOULD BE APPROPRIATE.

MR. AKOUE TE HAS NOT STATED A BASIS FOR EXPEDITED CONSIDERATION THAT HAS NOT BEEN CONSIDERED BY THE COURT IN ESTABLISHING THE PRESENT CASE MANAGEMENT SCHEDULE, WHICH SCHEDULE COULD BE MODIFIED AGAIN IF CONSOLIDATION OF THE CLAIMS OBJECTIONS IS ULTIMATELY GRANTED AFTER CONSIDERING THE PENDING CONSOLIDATION REQUEST. WHILE THE COURT IS SYMPATHETIC TO MR. AKOUE TE'S STATED FINANCIAL HARDSHIPS AND FAMILY MEDICAL SITUATION, THE SUMMARY JUDGMENT SCHEDULE IS REASONABLE AND ALLOWS EACH PARTY TO FULLY REVIEW INFORMATION DEVELOPED DURING DISCOVERY AND PREPARE APPROPRIATE PLEADINGS.

Dated: 04/28/2025

By the Court,

A handwritten signature in black ink, appearing to read "Christopher J. Panos", written in a cursive style.

Christopher J. Panos
United States Bankruptcy Judge